Canal & River Trust
Making life better by water

Kirklees Metropolitan Council
PO Box B93
Civic Centre 3
Huddersfield
HD1 2JR

Your Ref 2023/91893

Our Ref CRTR-PLAN-2023-39285

Tuesday 11 July 2023

Dear Sam Jackman,

Proposal: Removal of existing garage and link structure and erection of two and a half storey side extension, raised terrace and single storey garage with garden store below.

Location: 78 Marsden Lane, Marsden, Huddersfield

Waterway: Huddersfield Narrow Canal

Thank you for your consultation on the above application.

We are the charity who look after and bring to life 2000 miles of canals & rivers. Our waterways contribute to the health and wellbeing of local communities and economies, creating attractive and connected places to live, work, volunteer and spend leisure time. These historic, natural and cultural assets form part of the strategic and local green-blue infrastructure network, linking urban and rural communities as well as habitats. By caring for our waterways and promoting their use we believe we can improve the wellbeing of our nation. The Trust is a statutory consultee in the Development Management process.

Based on the information available our substantive response (as required by the Town & Country Planning (Development Management Procedure) (England) Order 2015 (as amended)) is the following general advice:

The Trust own and manage the Huddersfield Narrow Canal, located to the south of the application site. The site is on sloping land, which forms part of the cutting slope to the canal.

The Trust's most recent inspection of the cutting slope identifies that water runoff onto or seepage into the slope could lead to deterioration of this asset, which could increase the long term risk of land instability towards the canal.

To address the above risk, prior to the approval of the application, **we request that the Local Planning Authority seek confirmation from the applicant that drainage from the extension will not discharge onto the cutting slope, including to any nearby soakaway structures.**

We believe this request is in line with the aims of paragraphs 194 (part e) and 183 of the National Planning Policy Framework, which state that planning decisions should ensure that a site is suitable for its proposed use, taking account of risks arising from land instability. This is also highlighted within the Planning Practice Guidance, which states that the planning system has an important role in considering land stability by:

- Minimising the risk and effects of land stability on property, infrastructure and the public; and

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- Helping ensure that various types of development should not be placed in unstable locations without various precautions;

(paragraph 001 Reference ID: 45-001-20190722).

Other Comments

In our capacity as landowner and Navigation Authority of the Huddersfield Narrow Canal, we wish to advise that works in proximity to the waterway and associated assets may need to accord with the Trust's 'Code of Practice for Works Affecting the Canal & River Trust".

Should planning permission be approved, we request that the following informatives are appended to the decision notice:

1. The applicant/developer is advised to contact the Trust's Works Engineering Team via email at Enquiries.TPWNorth@canalrivertrust.org.uk or via switchboard on 0303 040 4040 in order to ensure that any necessary consents are obtained and that the works comply with the Canal & River Trust's 'Code of Practice for Works Affecting the Canal & River Trust".

Please do not hesitate to contact me with any queries you may have.

Yours sincerely,

Simon Tucker MRTPI
Area Planner

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https://canalrivertrust.org.uk/specialist-teams/planning-and-design

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